

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SIETEL SINGH GILL, individually and on behalf
of other similarly situated individuals,

Plaintiffs,

v.

NATIONAL FOOTBALL LEAGUE, and NFL
ENTERPRISES LLC,

Defendants.

Case No. 1:21-cv-01032-PAE

**DECLARATION OF SARA A. RICCIARDI
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

I, Sara A. Ricciardi, Esq., submit this declaration pursuant to 28 U.S.C. § 1746 and
declare as follows:

1. I am a member of the law firm Simpson Thacher & Bartlett LLP, attorneys for
Defendants National Football League and NFL Enterprises LLC. I am a member of the
bar of this Court. I make this declaration in support of Defendants' Motion to Dismiss the
Complaint of Plaintiff Sietel Singh Gill.
2. Attached hereto as **Exhibit A** is a true and correct copy of the NFL Game Pass website
homepage as at April 6, 2021, currently available at: <https://gamepass.nfl.com> or
<https://gamepass.nfl.com/packages>.
3. Attached hereto as **Exhibit B** is a true and correct copy of the NFL.com Subscriptions
Terms & Conditions effective for the 2019-2020 NFL season, then-available at:
https://www.nfl.com/help/subscriptions_terms (via <https://gamepass.nfl.com>).

4. Attached hereto as **Exhibit C** is a true and correct copy of the Game Pass International website homepage, as at April 8, 2021, currently available at:
<https://www.nflgamepass.com/en>.
5. Attached hereto as **Exhibit D** is a true and correct copy of the Game Pass International Pro Subscription Product Terms, effective for the 2019-2020 NFL season,¹ then and currently available at: <https://www.nflgamepass.com/en/terms-of-service> (via <https://www.nflgamepass.com/en>).

I declare under penalty of perjury that, to the best of my knowledge and belief, the foregoing is true and correct.

Executed on April 8, 2021 in New York, New York.

By: /s/ Sara A. Ricciardi

Sara A. Ricciardi
sricciardi@stblaw.com
425 Lexington Avenue
New York, New York 10017-3954
Telephone: (212) 455-2000
Facsimile: (212) 455-2502

¹ Clause 14 (Promotion and Advertising and Links to Third-Party Sites), which is not relevant to these proceedings, was added to the Subscription Product Terms part-way through the 2019-2020 NFL season, on October 28, 2019.